



COUNTY OF LOS ANGELES  
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION  
500 WEST TEMPLE STREET  
LOS ANGELES, CALIFORNIA 90012-2713

TELEPHONE  
(213) 974-1861  
FACSIMILE  
(213) 229-9924  
TDD  
(213) 633-0901

JOHN F. KRATTLI  
Acting County Counsel

May 14, 2012

TO: SACHI A. HAMAI  
Executive Officer  
Board of Supervisors

Attention: Agenda Preparation

FROM: PATRICK A. WU  
Senior Assistant County Counsel

RE: **Item for the Board of Supervisors' Agenda**  
**County Claims Board Recommendation**  
**Laura Moreno v. County of Los Angeles, et al.**  
**United States District Court Case No. CV 10-9706 DSF(Ex)**

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary and the Summary Corrective Action Plan to be made available to the public.

It is requested that this recommendation, the Case Summary and the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda.

PAW:rfm

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Laura Moreno v. County of Los Angeles, et al., United States District Court Case No. CV 10-9706 DSF(Ex), in the amount of \$250,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Chief Executive Office's budget.

This lawsuit concerns allegations of sexual assault by a Los Angeles County Office of Public Safety Officer.

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

|                             |    |   |
|-----------------------------|----|---|
| CASE NAME                   |    | <u>LAURA MORENO vs. COLA, et al.</u>  |
| CASE NUMBER                 |    | CV 10-9706 DSF(Ex)  |
| COURT                       |    | United States District Court  |
| DATE FILED                  |    | December 17, 2010   |
| COUNTY DEPARTMENT           |    | Office of Public Safety   |
| PROPOSED SETTLEMENT AMOUNT  | \$ | 250,000   |
| ATTORNEY FOR PLAINTIFF      |    | Moreno, Becerra & Casillas  |
| COUNTY COUNSEL ATTORNEY     |    | Millicent L. Rolon  |
| NATURE OF CASE              |    | <p>Plaintiff Laura Moreno alleges that her civil rights were violated when she was sexually assaulted by a Los Angeles County Office of Public Safety Officer.</p> <p>Due to the risks and uncertainties of litigation and in light of the fact that a prevailing plaintiff in a federal civil rights lawsuit is entitled to an award of reasonable attorneys' fees, a full and final settlement of the case in the amount of \$250,000 is recommended.</p> |
| PAID ATTORNEY FEES, TO DATE | \$ | 40,709  |
| PAID COSTS, TO DATE         | \$ | 5,126   |

Case Name: Moreno, Laura v. County of Los Angeles



## Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

|  |   |
|--|---|
| Date of incident/event:                              | March 30, 2010  |
| Briefly provide a description of the incident/event: | Plaintiff alleges on 3/30/10 she was driving at or near the I 405 and I 105 when she was stopped by a County Safety Police Officer for alleged traffic violations. Said stop was made without reasonable suspicion, probable cause or any other lawful or valid reason as claimant had not violated any traffic laws. The officer sexually molested claimant by fondling her breasts and groin area and kissing her. The police officer did not cite claimant for any violations. |

1. Briefly describe the root cause(s) of the claim/lawsuit:

Sexual assault committed by an on duty officer employed by the Office of Public Safety (OPS).

2. Briefly describe recommended corrective actions:  
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

When the incident was reported to OPS on April 17, 2010, immediate action was taken including the initiation of an investigation by California Highway Patrol and placing the officer on administrative leave. The officer was terminated on September 30, 2010.

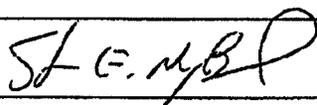
The former officer was arrested by Los Angeles S.W.A.T. on April 17, 2010 for Assault by a Peace Officer and released. No known criminal charges have been filed at this time.

3. State if the corrective actions are applicable to only your department or other County departments:  
(If unsure, please contact the Chief Executive Office Risk Management for assistance)

- Potentially has County-wide implications.
- Potentially has an implication to other departments (i.e., all human services, all safety departments, or one or more other departments).
- Does not appear to have County-wide or other department implications.

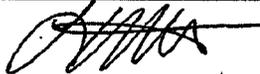
County of Los Angeles  
Summary Corrective Action Plan

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|  |               |
|--|---------------|
| Name: (Risk Management Coordinator)<br>Steven NyBlom   |               |
| Signature:  | Date: 2-29-12 |

|  |              |
|--|--------------|
| Name: (Department Head)<br>William T Fujioka   |              |
| Signature:  | Date: 3/7/12 |

**Chief Executive Office Risk Management**

|  |                 |
|--|-----------------|
| Name:<br>Leo Costantino  |                 |
| Signature:  | Date: 2/29/2012 |